

AMENDMENTS TO THE DRAWINGS

Applicants submit herewith four sheets of formal drawings replacing the informal sketches representing Figs. 1A, 1B, 2, 3 and 4. While preparing the formal drawings, several extraneous legends (e.g., "bi-directional broadband communications link") were removed since the associated elements were described adequately in the specification and since the legends merely added extraneous text to the figures. A markup of the original figures showing the changes has been enclosed. No material changes were made and no new matter added. Approval of these formal drawings is respectfully requested.

REMARKS

This application has been carefully reviewed in view of the above-referenced Office Action, and reconsideration is requested in view of the following remarks.

The Objection to the Specification and Drawings

Examiner's objection to the specification and drawings have been corrected as required.

The Rejections Under 35 U.S.C. §112

Claims 3, 4, 6, 8, 10-12, 15, 16, 18 and 20 were rejected due to various informalities. Claim 18 has been cancelled. The remaining claims have been amended to correct the informalities noted by the Examiner. Reconsideration is respectfully requested.

The Rejections Under 35 U.S.C. §102

Claims 1, 2, 4-9, 11-16, and 18-22 were rejected as anticipated by David of record. All claims have been amended to overcome the cited David reference.

First consider claims 2, 9, and 16. Each of these claims call for the interactive audio-visual appliance to be a set-top box. The Office Action asserts that the disclosure of David at col. 5, lines 38-42 inherently "contain some form of receiver (i.e., set top box)". This excerpt from David states, to summarize, that satellite, radio, telephone lines or cable television lines can be used as the communication media for his invention. Applicants respectfully submit that while a receiver is certainly required to use any of those media, the receiver need not "inherently" be a "set-top box" as intended by Applicants. For example, telephone communications are available that utilize all of the above communication media, in which case only an appropriate transceiver for telephone communication is required in each case. None of these examples inherently require a set-top box (within Applicant's meaning thereof) to carry out these functions.

In David, the only disclosure of the interface between his device and the communication media is modulator 46. David falls far short of containing any teaching, suggestion or inherency of the elements necessary to constitute a set-top box as meant by Applicants. That said, it is

acknowledged that these claims as filed may not specifically call out elements adequate to establish the full television set-top box functionality.

In view of this shortcoming of David, all claims have been amended to call out specific elements of a “television set-top box” including the functionality of providing audio-visual entertainment content in certain modes of operation as well as other elements that are present in a television set-top box. Certain of the claims also now call for a tuner and decoder that convert entertainment content into a format suitable for use by a television set. David contains no suggestion of integration of these functions with his system.

It is respectfully submitted that the fact that the device of David uses similar communication media as that of certain set-top boxes does not suggest integration of patient monitoring functions with a television set-top box, along with provision of multiple operational modes corresponding to conventional entertainment television operation in one mode and the patient monitoring functions in another mode. The claims are now believed to more clearly call out such distinctions. In view of these amendments, reconsideration and allowance of all claims are respectfully requested.

The Rejections Under 35 U.S.C. §103

Claims 3, 10 and 17 were rejected as obvious in view of the combination of David and Flach of record. In view of the above amendments, these claims are believed to be dependent upon allowable base claims and are thus believed allowable. Reconsideration and allowance are respectfully requested.

New Claims

New claims 23 and 24 are submitted for the Examiner’s consideration. Claims 23 and 24 call out in some detail the specifics of a television set-top box as shown in Figures 1A, 5 and 6 and accompanying specification. For the reasons explained above, these claims are believed to clearly distinguish over the cited references.

Claim 25 calls out similar features, only embodied in a television receiver. Support for this aspect can be found in the specification, for example, at paragraph 28. It is believed clear

that there is no teaching or suggestion in any of the cited references for integration of a patient monitoring device within a television set as claimed.

Accordingly consideration of these new claims is respectfully requested.

The undersigned additionally notes that other distinctions exist between the cited references and the invention as claimed. In view of the above amendments and the distinctions pointed out above, further discussion is believed to be unnecessary at this time. Failure to address each point raised in the Office Action should accordingly not be viewed as accession to the Examiner's position.

In view of this communication, all claims are now believed to be in condition for allowance and such is respectfully requested at an early date. If further matters remain to be resolved, the undersigned respectfully requests the courtesy of an interview. The undersigned can be reached at the telephone number below.

Respectfully submitted,



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Dated: 6/15/05

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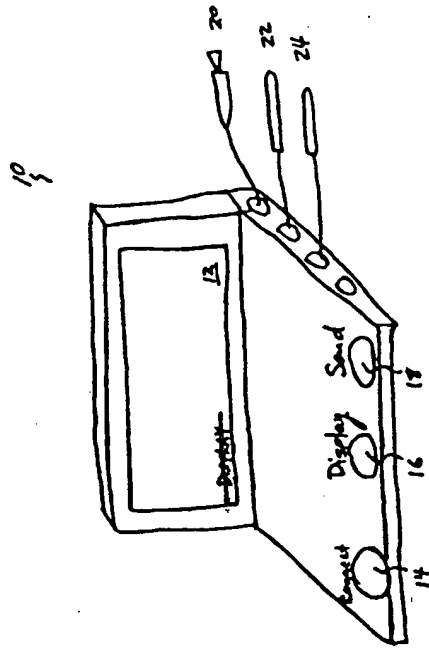


FIG. 1A

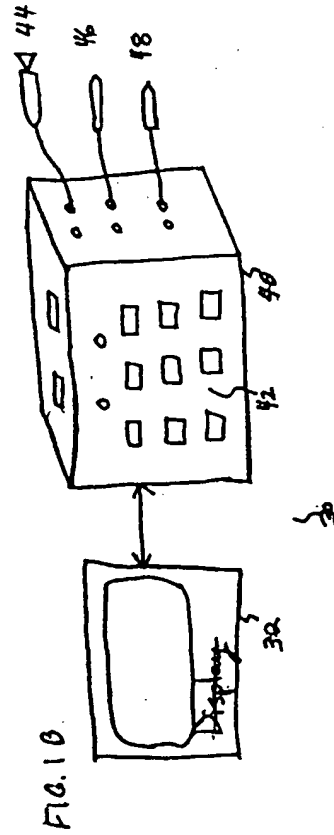


FIG. 1B

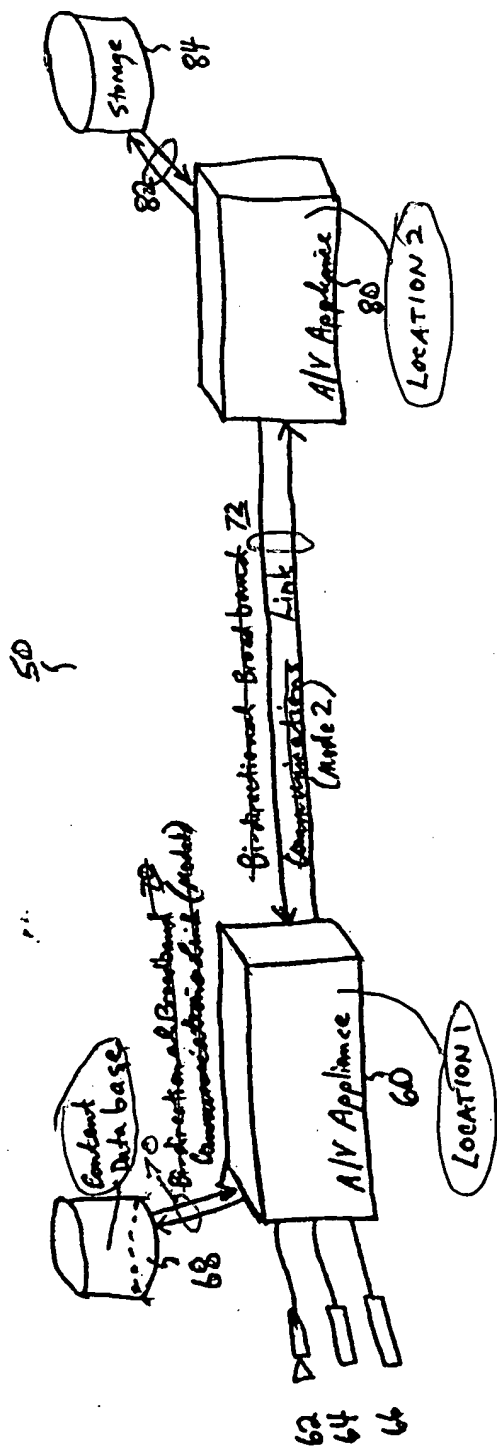


FIG. 2

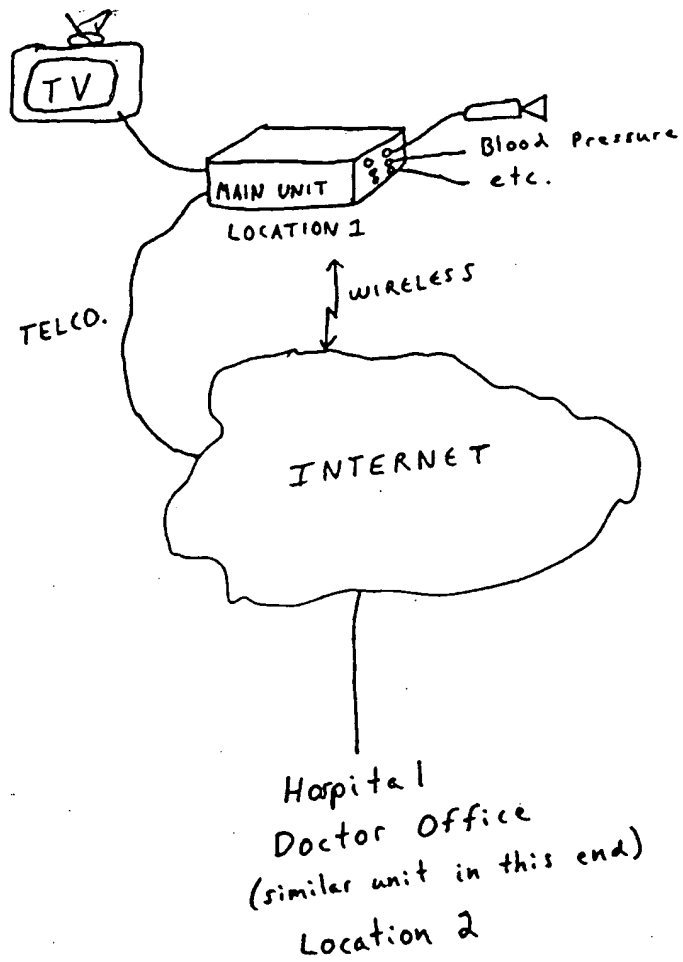


FIG. 3

